



July 17, 2003

Possible Amendments to the Interior Appropriations Act (H.R. 2691)

The following are potential amendments. Under an open rule, new amendments may be offered without notice.

#1 Udall (CO): Prohibits funds from being used to implement amendments to Bureau of Land Management regulations on Recordable Disclaimers of Interest in Land (subpart 1864 of part 1860 of title 43, Code of Federal Regulations), as adopted on January 6, 2003. A “recordable disclaimer of interest” is a document issued by the government that formally renounces its interest in a piece of land. Parties who claim ownership or access to parcels of federal land may apply for a disclaimer in order to clear their title to the land. The change in rules adopted in January made this application process easier by extending the time period for filing for a disclaimer and allowing entities other than the owners to apply for one. In the past, disclaimers could only be issued to owners of the land; this change will allow states and counties to file for and receive disclaimers as well.

#2 Holt: Prohibits funds from being used to manage recreational snowmobile use in Yellowstone and Grand Teton National Parks and the John D. Rockefeller, Jr. Memorial Parkway, except in accordance with National Park Service One-Year Delay Rule published November 18, 2002 (36 CFR part 7, RIN 1024-AD06). According to Rep. Barbara Cubin (R-WY), this would re-instate the short-lived ban on snowmobiles in Grand Teton and Yellowstone National Parks, and allow public tours ONLY via the use of “snowcoaches.” A snowcoach is a van, SUV, or bus modified from wheels to a track system (emissions are up to six times higher than those of snowmobiles).

#3 Rahall: Strikes the section of the bill regarding expedited procedures for Indian Trust Accounting (Section 137). **NOTE:** A Point of Order Was Made and Sustained Against This Provisions Eliminating the Need for an Amendment.

#4 Rahall: Prohibits funds from being used to kill, or assist others in killing, any bison in the Yellowstone National Park herd.

#5 Manzullo: Prohibits funds from being used to acquire manufactured articles, materials, or supplies that contain less than 65% domestic (i.e. U.S.-made) content or to enter into a contract for the construction, alteration, or repair of any public building or public work using less than 65% domestic materials. *The amendment would be subject to a point of order.*

#6 John: Prohibits funds from being used to prosecute any individual for taking migratory birds on or over land or water where seeds or grains have been scattered solely as the result of manipulated re-growth of a harvested rice crop.

#7 Sessions: Strikes the language in the bill prohibiting funds from being used to initiate any new competitive-sourcing studies (Section 335). Public-private competition, or competitive sourcing, is the process for determining if the government's commercial jobs, like computer services, food services, or maintenance, should be performed by federal agencies or by private sector companies.

#8 Tancredo: Reduces funding for the National Endowment for the Arts by \$57,480,000 and increases funding for the U.S. Forest Service Hazardous Fuels Reduction/Thinning Program by \$57,480,000.

#9 Udall (NM): Prohibits funds from being used to finalize or implement the proposed revisions to subpart A of part 219 of title 36, Code of Federal Regulations, relating to National Forest System Planning for Land and Resource Management Plans, as described in the proposed rule published in the Federal Register on December 6, 2002 (67 Fed. Reg. 72770). Link to Rule: <http://www.epa.gov/fedrgstr/EPA-IMPACT/2002/December/Day-06/i30683.htm>

#10 Slaughter: Reduces funding for the general operations of the National Park Service by \$6 million, for management of the Interior Department by \$3 million, and for the National Forest System by \$6 million. Increases funding for the Challenge America Program within the National Endowment for the Arts by \$10 million, and for the National Endowment for the Humanities by \$5 million.

#11 DeFazio: Strikes the section of the bill extending through 2006 the authority to collect user fees within demonstration programs relating to the feasibility of user-generated cost recovery for the operation and maintenance of recreation areas or sites and habitat enhancement projects on Federal lands. (Section 332).

#12 Bereuter/Boyd: Prohibits funds from being used for the implementation of a competitive sourcing study at the Midwest Archaeological Center in Lincoln, Nebraska, or the Southeast Archaeological Center in Tallahassee, Florida.

#13 Boehlert: Increases by a total of \$94.985 million the funding in several accounts, including the Land and Water Conservation Fund, the Forest Legacy program, the Urban Parks and Recreation program, state wildlife grants, and the historic preservation program. Reduces by \$94.985 million the authorization for the Fossil Energy Research and Development account.

#14 Blumenauer/Thompson (CA)/ Shays: Prohibits funds from being used for the Fish and Wildlife Service to enter into any new commercial agricultural lease on the Lower Klamath and Tule Lake National Wildlife Refuges in the States of Oregon and California that permits

the growing of row crops or alfalfa. According to Rep. Blumenauer's office, such crops are more harmful to wildlife and require more pesticides and water.

#15 Walden: Prohibits funds from being used to acquire any land or interest in land for the Stewart B. McKinney National Wildlife Refuge.

#16 King (IA): Prohibits funds from being used to subject management of the Missouri River to the imposition of any regulatory action under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.). According to Rep. King's office, this prohibition would allow the Corps of Engineers to "select revisions to the Missouri River Master Water Control Manual that serve and balance the diverse interests of all river uses, including electric generation hydropower, flood control, navigation, recreation, and environmental protection, and...to manage those uses under the Annual Operating Plan for the Missouri River, during the formal consultations under the Endangered Species Act of 1973 between the Corps of Engineers and the United States Fish and Wildlife Service regarding a new biological assessment for the Missouri River Master Control Manual."

#17 Tancredo: Reduces by \$57.5 million the amount made available for "National Foundation on the Arts and the Humanities: National Endowment for the Arts: Grants and Administration" and increases by \$57.5 million the amount made available for "Department of Agriculture: Forest Service: Wildland Fire Management" for hazardous fuel reduction activities.

#18 DeFazio: Clarifies that the amendments to the recreation fee demonstration program made by the base bill only apply to areas under the jurisdiction of the National Park Service.

Shadegg (not pre-filed): Increases Forest Service Wildland Fire Management by \$19 million and reduces Forest Service Land Acquisition by the same amount.

Sanders/Kind (not pre-filed): Increases the Weatherization Assistance Program by \$25 million.

Inslee/Davis (FL)/Tauscher: Restores the Roadless Area Conservation Rule for fiscal year 2004. NOTE: A federal judge this week struck down a ban on road building in a third of America's national forests, saying the Clinton administration rule illegally designated wilderness areas. This was the second injunction issued by a federal judge against the "roadless rule." The first injunction, in 2001, was overturned in December by the 9th U.S. Circuit Court of Appeals, based in San Francisco. Monday's decision by U.S. District Judge Clarence A. Brimmer will bring the case before the more conservative Denver-based 10th Circuit.